

CAN WE SAVE CONSTITUTIONAL GOVERNMENT?

A MEMORANDUM

BY

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FELLOW OF THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE
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CAN WE SAVE CONSTITUTIONAL GOVERNMENT?

I.

Constitutional Government is menaced by a serious and world-wide dissatisfaction with the operation of existing political institutions. We are confronted not only by the various forms of protest adopted by those who wish to destroy existing institutions of Government, but also by a growing sense of helplessness and exasperation among those who wish to preserve them. There is scarcely a country in the world in which popular discontent with the inefficiency and with the extravagance of Government has not reached the danger point.

The plain fact is that the Constitutionalists in every country have been issuing and constantly renewing, for more than a hundred years, promissory notes for human betterment, and that the further renewal of these notes is becoming increasingly difficult.

During the past century there has occurred a continuous and notable improvement in the general conditions of human life. In food, in housing, in clothing, in transportation, in surgery, in medicine, in methods of communication between man and man,

the health, convenience, comfort, and luxury of the people have been served with an ever-increasing measure of efficiency. It is of Government alone that it can be said that its practice is no closer to the circumstances in which it operates than would be the medical practice of a physician who should today prescribe the King's Touch for scrofula.

A contrast so impressive between the state of society and the state of politics cannot be due to a temporary or to an adventitious influence. Its origin is, indeed, clearly discernible. The immense progress which has been effected in the pure and in the applied sciences is attributable to a single cause, namely, that we have, through analytical investigation and the ruthless acceptance of proved facts, laid out a solid base of ascertained truth, upon which the structure of general scientific knowledge finds a secure foundation.

Of the actual operation of Government the Constitutionalists have not made a study which can be described as scientific. They have made a formal examination of constitutions and of laws, that is to say of the therapeutics of Government, but this examination has never been followed by that close and extended clinical observation upon which the progress of the science of therapeutics is absolutely dependent.

Two instances may be given in illustration of this point. We have passed many laws relating to usury. They are neither more nor less than prescriptions addressed to remedying the evils associated with the relationship between borrowers and lenders. If Government were scientifically studied we should have for our guidance a Report containing complete

statistics, over a number of years, of all the cases tried under these laws. From such statistics we could inform ourselves as to the real operation of the different laws, of the exact nature of each complaint made under them by debtors and by creditors, and of the disposition of the cases by the courts. There is no such Report. The consequence is that we know nothing whatever about the actual relations between debtors and creditors, or about the comparative efficiency of the various remedies which legislatures have prescribed.

Again: it has been asserted by a high official of the New York Police Department that there is less crime in New York than in any other great city in the world. In face of such an assertion the only course of action open to any one who dissents from it is to make a counter-assertion. No statistics are available upon which either of the protagonists can establish the truth of his statement.

If Government were studied scientifically we should have at our disposal a Report showing, for twenty great cities over a period of years, the number and the nature of crimes reported to the police, the number of arrests made, the number of convictions secured, the nature of the sentences imposed, the number of sentences carried out in whole or in part, the number of executive pardons, and the cost of the whole police system to the taxpayer.

No such Report exists. In consequence we do not know whether New York has more or less crime than other great cities, whether the New York police force is more or less efficient than others in detecting crime, whether New York juries are more or less lenient than others in criminal cases, whether the

judges are more or less severe in inflicting punishment, whether the pardoning authority is more or less frequently exercised, whether the cost of the police force is more or less, proportionately, than that of other police forces.

Those instances could be elaborated to cover almost everything with which Government is concerned—methods of legislation, child-labor, factory inspection, care of the insane and defective, taxation, prison management, forestry, public works, civil service, etc.

The fundamental cause of the present delinquency of Government is that there has been no comprehensive scientific analysis of modern Government, that practically everything connected with it is still in the field of controversy, conjecture, and surmise.

The hazard of this situation is made doubly formidable by the circumstance that every group of anti-constitutionalists has a plan to offer for the regeneration of the politico-social complex, while the Constitutionalists have nothing to offer which is less illusory than the renewal of the very promises which the world has finally been driven to regard with the deepest distrust. If the Constitutionalists cannot do better than this, nothing is more certain than that, sooner or later, the control of Government will be taken from them.

II.

The following paragraphs embody, in outline, a plan which the Constitutionalists could offer as an alternative to all the proposals put forward by the Bolshevists, the Syndicalists, and other revolutionary

factions. It could be operated within the Constitutional limits of any national or state Government, without violating any Constitutional principle associated with popular Government.

Establish an International Society for the Scientific Study of Comparative Government, supported partly by membership subscriptions and partly by endowments. Let this Society conduct, through the agency of an International Research Institute, a continuing investigation, of the highest scientific character, of every question of form and function in Government—on the basis of a wide comparison—and upon the results of these investigations let it establish in respect of every function of Government the correlations between aims, methods, costs, and results.

This Society will have to conform, in its structure and in its operation, to certain rigid conditions, if it is to acquire the authoritative standing upon which the whole of its usefulness would depend. The mere enumeration of these conditions will suffice to disclose the elements which would differentiate the Society's Research Institute from any Institution which has ever occupied itself with the study of Government, and will serve to meet all objections which rest upon the argument that we already have too many Societies, and that a new Society cannot hope to succeed where hundreds of other Societies have failed.

A. The Society must be an absolutely *new* Society, and must not be made up by amalgamating Societies and Institutions now in existence. The reason for this is that the present state of Government is what it is despite the long-continued

efforts of existing Societies to improve Government. It is only a *new* Society which would not be confronted by the immediate necessity of explaining its past failures.

- B. The Society would operate through a Research Institute. Government itself cannot perform effectively the work of such a Research Institute; first, because its analysis of its own operations could not be made scientifically objective; second, because Government, having the power to enforce its views, is under no pressure to find a scientific solution for its problems; third, because the people could never be brought to believe that its enquiries were not tainted by political partisanship.

The executive authority of the Institute would be located in a Committee of scientists—men of the highest distinction in one or another of the analytical sciences. The Director of the Institute would submit to this Committee each major project of investigation, so drafted that the aim in view and the proposed method of research could be examined by the Committee. No project above a certain magnitude would be undertaken until the Committee had approved the method to be followed. It would not be necessary for members of the Committee to have any special knowledge of the field to be investigated, since the logic of analytics does not vary with the nature of the material. This certification of method would relieve the Institute of any charge that its work was influenced by the money or by the importunities of the members of the Society.

- C. The investigating staff would not be gathered together as a permanent body within the Institute. Each investigation would be assigned to a staff of specialists drawn from different parts of the world, on temporary appointment. This arrangement would have two highly important results. The investigators would not develop an institutional psychology, of which the effect usually is to divide a man's loyalty between the pursuit of truth and the desire to shield the reputation of the Institute or of one or more of its employees. Furthermore, as one investigation might be undertaken by a Dane, a Scotsman, and an Australian, and another by an American, a Frenchman, and a Russian, the work of the Institute would reflect all that was best in the science and culture of every nation.
- D. The work of the permanent central staff of the Institute would consist entirely in analyzing the Reports of the investigators and in preparing them for full or for condensed publication in the form of books, pamphlets, and statistical abstracts.
- E. The Research Institute would have nothing whatever to do with propaganda or with the advocacy of any course of action. It would hold itself rigorously to the single task of making knowledge about Government available to all who cared to seek it. Its sole interest would be that any statement bearing its imprint should be true, and that any opinion contained in its Reports should be well founded on the facts. It would be well to emphasize the indifference of the Institute to everything except

- truth* by awarding annually a gold medal and a substantial sum of money to that person who should be adjudged, by some impartial body, to have pointed out the most serious error in the Institute's work during the previous year.
- F. The finances of the Society would have to permit the payment of specialists' fees not less than the highest fees paid by anyone anywhere. It is true that a certain amount of excellent work is done by underpaid enthusiasts in the service of Governments and of Universities; but this does not affect the rule that the best work is usually the best-paid work. The Institute would have to secure the services of the most able and experienced men living.

III.

It remains to discuss the means by which the work of an International Institute for Government Research could be made to improve the quality and to reduce the cost of Government, and thus to abate the present discontents. It is clear that if taxation were greatly reduced, if a great increase in efficiency occurred in the multifarious services which a modern Government is called upon to perform, if a great improvement were shown in the technique of handling all the politico-social problems by which the world is confronted, the activities of the extreme radicals would perish for lack of nourishment.

For the successful operation of the Institute it is, fortunately, unnecessary to assume that a great moral awakening is about to illumine the world, or that there will have to be any sudden weakening of the

selfish motives by which so many people are actuated, or that the stupid are to become intelligent, the idle industrious, the ignorant informed, by some magical process. The success of the Institute may be predicated upon a few very simple and practical considerations.

In every part of the self-governing world Government is administered along the lines of party politics: the "ins" want to stay in, the "outs" want to get in. Now almost every election, under our present system, is fought out on the basis of charges and denials concerning inefficient, corrupt, or extravagant administration; and at the present time there exists practically no authoritative information, accessible to anybody except the most expert students, on which these charges can be definitely formulated or conclusively proved. The result is that elections are won and lost on what is practically nothing but unsupported assertion. The cause of good Government is, therefore, little more than the plaything of competing politicians.

But with the Research Institute founded and operating, an entirely new element would be introduced into politics. The attack upon the "ins" could then be made categorical and specific instead of assertive and oratorical. If I wanted to get the city administration out, because of its bad police administration, I could procure from the Institute a statement showing, in every detail, the state of police administration in twenty cities of a population about equal to that of mine. If my contentions about the police were sound, I could *prove* that they were sound, by producing facts and figures from a source of unimpeachable impartiality. If the voters turned

the city administration out on this issue, it would be turned out on the basis of fact and not of assertion. When my party had assumed office, the "outs" would, in their turn, be eager to apply the same method. They would *prove*, from material available in the Reports of the Institute, that the typhoid epidemic, for instance, was due to our failure to redeem our election-promise to improve the water-supply, and they would *prove* it by showing that a dozen other cities, which had modernized their system of water-supply, had not had a typhoid epidemic; and so on, over the whole field of administration.

The influence of this kind of pressure—constantly exerted in national, state, and municipal elections—would soon make itself felt. It would require but a short time to establish in the mind of every practical citizen, not of the class of professional politician, a realization that his own best interest had been served by every application of the work of the Institute to the actual problems of popular Government. It would not be very long before the professional politician, whose peculiar talents can be marketed only whilst unsupported assertion remains the principal weapon of political controversy, would find his occupation gone.

IV.

Attention may be directed to certain effects which would be produced by the activities of an International Institute operated by a Society for the Scientific Study of Comparative Government.

LEGISLATIVE AND ADMINISTRATIVE PRACTICE.
The Constitutions, Laws, Regulations, Administra-

tive Manuals and Reports, and the Statistical Records of the various governments of the world contain an account of every experiment undertaken in modern times in respect of the practical working of Government. The tasks assigned to Government are, in their general character, closely similar in every civilized country. The existence of a central depository for the whole of the experimental record, and the periodical issuance by such an Institution of Reports exhibiting the state of the world's knowledge about each phase of governmental activity, would encourage and facilitate the scientific study of Government, would save all the money and energy which might, otherwise, be expended in the reduplication of effort, and would, from time to time, establish standards of practice and of accomplishment for the information of all legislative and administrative officials in all countries.

POLITICS. With a membership resident in every political division and sub-division of the world, the work of the Society would have the double effect of greatly improving the quality of the demands made on Government, and of greatly increasing the ability of legislators and of administrators to meet these demands. A more intelligent understanding on the part of the voter of what Government can do for him, and a more intelligent understanding on the part of officials of how Government can do it, would unite to reduce the cost and to increase the efficiency of the public service.

EDUCATION. At the present time the teaching of Government, except in its most advanced stage, is generally confined to its structural elements. What we teach is, in fact, no more than Government's own

description of itself, in constitutions, laws, and regulations. Little is done to work back from observed conditions along the chain of causation by which these conditions have been produced.

For this state of affairs the teacher is not to blame. There is no analyzed material available which makes it possible for him to start his pupils from the observation of a badly paved street in front of the school-house and—on the basis of a comparison with other streets in front of other school-houses in other towns and in other countries—to trace for them the vital connection between their muddy shoes and every detail of the theory and practice of Government from the marking of a ballot up to the appointment of a Supreme Court Judge.

The work of the Institute would make available an abundance of analyzed material upon which there could be founded a new science of the teaching of Government—a science which would change our present system from a dull, formal, and repellant discipline into a constructive and stimulating exercise of the most flexible and responsive qualities of the mind and character of youth. The effect would be to develop gradually a body of voters thoroughly familiar with the idea, now utterly strange to politics, that the results of ignorance, of stupidity, and of indifference are more costly, more uncomfortable, more dangerous, more difficult to avert, and more difficult to repair in the field of Government than they are in any other field of human activity.

INTERNATIONAL RELATIONS. The Society and the Institute would not represent the organization of power, but the organization of knowledge. Every organization of power is, ultimately, an organized

threat against dissent from its decisions. It is this circumstance which causes everyone to fear and to distrust organized power.

Neither the Society nor the Institute would seek to exercise power of any kind. Membership in the Society would be voluntarily assumed and could be relinquished at the pleasure of the member. The Institute would not tell anybody what he ought to do; it would enable everybody to know what had been done and what consequences had followed various kinds of action. In such a situation there would lie the possibility of developing a new type of international relationship.

The members of the Society in all parts of the world would be interested in a common enterprise in which, since its sole object would be the discovery and dissemination of truth, and of truth the most useful and salutary, there could arise no conflict of interest and no rivalry except that of emulation.

Engaged in an undertaking whose success would minister equally to the welfare of all peoples, and could not militate against the welfare of any, the membership of the Society might well create a living bond of unity between the intelligent and well-disposed of every nation.

RADICALISM. All extremist organizations reflect serious discontent with existing conditions. The nature of this discontent ranges between an emotional resentment, wholly inaccessible to reason, and a justified dissatisfaction which has become hopeless of reform except through profound changes in the principles upon which Constitutional Government rests and in the instrumentalities through which it operates. This gives us the anarchist at one end of

the line and the socialist at the other, separated by lines of gradation which cannot be accurately placed.

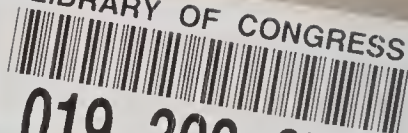
The Society for the Scientific Study of Comparative Government could, of course, offer nothing which would be attractive to the anarchist; but with the Socialists, and especially with their right wing, the case would be different. Thousands of serious and patriotic citizens have joined the Socialist organization for no other reason than that the Constitutionalists have failed to present to them any plan upon which a reasonable hope could be founded that Constitutional Government can be made the efficient agent of the modern social purpose.

The idea of an International Research Institute, devoted to the scientific study of Comparative Government, should make a strong appeal to all Socialists who are not moved more by a craving for revolution, as such, than by a sincere desire to improve the lot of humanity by whatever process might be shown, through comprehensive analytical investigation, to be best suited to achieve that object.

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